

EXHIBIT B

The Honorable Michael S. Nachmanoff
United States District Court
Eastern District of Virginia – Alexandria Division
Albert V. Bryan U.S. Courthouse
Alexandria, VA 22314

March 5, 2023

Dear Judge Nachmanoff,

I am writing this letter on behalf of my son Matthew David Rogers requesting Your Honors' leniency during the sentencing phase of Case Number 1:22-CR-192. I know of his conviction for possessing a machinegun; in his case a plastic seer, approximately $\frac{3}{4}$ "x1", in violation of U.S.C. § 922(o). I am his birth mother, nurturer, caregiver, provider, disciplinarian, confidante, single-parent, and friend. Enlisting in the United States Air Force in 1989, I attended night school completing my Bachelor of Science degree in business administration in pursuit of commissioning. Groomed by leadership, I was commissioned and completed my master's in business administration while on active duty. In addition to the roles identified above, I am also a 22+ year retired Air Force Veteran who deployed in support of Operation Iraqi Freedom for one 7-month tour to the Green Zone. I had no trustworthy or reliable family support plan should I deploy again, therefore retiring for the sake of my children's mental and physical welfare was a personal choice. Since retiring from the Air Force, I have supported the Intelligence Community (IC) as a contractor in additional roles as a Senior Contracts Manager, Acquisition Consultant, and Subject Matter Expert. Today, I support the development and ensure compliance of acquisition and contracts policy within the IC.

I have raised Matthew and his younger brother alone since 2007. Additionally, my physically disabled mother and her significant other have been a part of our household since 2015. It has not been easy balancing all life has thrown my way, but I thought I was being successful in doing so. After all, Matthew's younger brother is graduating high school in the Spring then headed to Colorado Springs to play football for the Air Force Academy. My home of 19 years had sold quickly enabling the opportunity to build my forever home away from the hustle and bustle of Northern Virginia. Matthew was enlisting in the United States Army and although his passion was medicine, he considered some sort of intelligence field because he has been around the environment and my friends with similar backgrounds his entire life. Matthew even consulted with a couple of them for advice on which career path would be best, e.g., signals, imagery, or geospatial intelligence. He was set, had a plan, was just waiting for medical clearance, and his job of choice to become available.

Most of America remembers 9/11, others have that one day in their life they will never forget whether it be for the mass devastation of the event, or the mental anguish and trauma caused by another. While there are several for me, one I will never forget occurs at 0600 hours on 20 May 2022. Waking to a pounding on my front door, hearing the words, "F-B-!! We are executing a search warrant!" repeated over and over, and becoming even louder each time as I am running down the stairs towards the door with the dog on my heels. Upon opening the door, my life changed forever in that moment. It was like being propelled into a different world having 14 guns (that I counted in that split second) pointed at me. I could not see those posted in my flower beds, squatted in my neighbor's flower beds,

or behind the house. While my eyes absorbed this scene in what seemed like slow-motion, my ears were ringing from a very loud voice yelling, "Put your hands up!" and simultaneously another voice yelling, "Control your dog!" as she was between my legs barking fiercely. With my hands raised, I pointed left with my right hand and asked if I may grab the red leash to my left lying on the chest. I am instructed to do so slowly. Once the dog is leashed I am asked, "Who else is in the house? Is Matthew in the house?" As the team enters my property to secure the house and locate Matthew, I am escorted to the rear of an armored vehicle with my dog where I sit on its bumper. A Response Team Member speaks with me as I am shaking uncontrollably. Matthew, who is in cuffs and his underwear, is placed on the bumper next to me. We talk and try to figure out what the heck is going on. What are *they* looking for? Why are *they* looking? *Who* did this to us? What did *you* do Matt? "I swear Mom, I did not do anything."

Another member of the Response Team asks if there is anyone else in the house. I tell them my elderly and disabled Mom lives in the basement with her very protective lap dog. I also inform him that my mom's partner, Chris, is at work and my youngest son Luke is at Performance Edge in Lansdowne for his morning training. Once the house was secured, Matthew and I were brought back into the house separately. Thankfully, the Team did not bring my mom outside. I see her seated in the dining room, but she is cold. I gave her my blanket. She asks why am I doing this? Where are the video cameras? She thought I was playing a prank on her and recording a movie. She was devastated. I tried explaining that the FBI is executing a search warrant. Mom and I are questioned for a couple of hours in separate areas of the house. It was cordial, nothing threatening but obviously probing for answers as was I. Matthew was permitted to get dressed and then taken to a squad car for questioning. All of us were very cooperative. When I realized my youngest son would be returning home at any moment, I told the Agents. As the Agents spread word of Luke's pending arrival, he walked in the back door. I learned he had to drive around the block to find a place to park while realizing all the activity outside was focused on his home. Luke was frantic, scared, and anxious but relieved once he saw I was okay.

Being a military family, both my children are familiar with firearms and were taught gun safety at a young age. Although I am no longer an avid shooter, both children did so with their father. In his teenage years, Matthew wanted an AR15. I said, "Absolutely, no way! You have no business with one, besides they are too expensive." I was never concerned for my or anyone else's safety. Fast-forward a few years and Matthew being of age, with his first paycheck, legally purchased himself an AR15 for Christmas. He had received other, less powerful rifles as Christmas gifts in the past. I was upset with the purchase but knew he had wanted the rifle for some time. We established some ground rules—not loaded in the house and always kept in the case unless it was out for cleaning or disassembled. Months down the road, Matthew was short on cash and asked his dad for a loan. The loan collateral was Matthew's legal AR15. I was happy the rifle was no longer in my home. It was just that the stigma of having a legally purchased AR15 annoyed me, especially with all the public scrutiny and mass shootings involving AR15 rifles during this period. Eventually, Matthew paid his dad to get the rifle back against my wishes, but we reviewed the ground rules once more.

Matthew is my first-born child and my only child for 7-years. He is bright, gifted, athletic, outspoken, and stubborn. As a child, Matthew attended a private school until I could no longer afford the cost of tuition and childcare after Luke was born. He received good grades and did his homework despite being diagnosed with attention deficit hyperactivity disorder (ADHD) in first grade. Matthew loved baseball, soccer, basketball, cycling, hiking, Legos, and drawing. I coached his ball team and basketball team for

a couple of years, and he participated in cub scouts until my reassignment and we moved out of the area. His adjustment to the move was uneventful and he continued to play little league baseball and soccer. Matthew's homework began to slip, whether it be middle school, girls, or the new kid. Completing his homework became a struggle for us both. He was never a disciplinary problem. Matthew was the type of student who did not have to study and aced most of the tests. It was the "having to prove I know what was taught in school" busy work, if you will, that Matthew struggled with. Under the care of a physician, Matthew tried several different medications to aid his ability to focus better. Although several medications worked, they severely suppressed his appetite, and he did not like the way he felt when taking them. After discussions with the doctor, we discontinued the medications.

After retiring from the Air Force (2 years later) we returned to Northern Virginia where Matthew reengaged with his childhood friends in the eighth grade. In my mind, returning to the area would help Matthew. After a poor academic performance in the first semester and the trend not showing any improvement, his dad and I decided to send Matthew to a private military boarding school. Upon completing eighth grade and his first semester of high school, Matthew's academic performance (homework completion) did not improve. He adjusted well and made friends. He also made the Varsity baseball team as an eighth grader and was goalie for the soccer team. However, during this time, I was diagnosed with breast cancer, required surgery, and 16 infusions. Matthew wanted to be home with me instead of away at school during this period. Therefore, I withdrew him from the military academy, and he returned home and went back into public high school. Matthew was a different kid—significantly more respectful, positive, happy, and in good spirits. Initially, his academics were great but as the semester progressed, his homework faltered. My best friend had come to stay with us for 6 weeks as I recovered from surgery and basically took care of the kids.

As high school progressed, Matthew found he was good at computer aided engineering design and excelled. He graduated from the technology center with a certificate, however, his grades were such that he chose to take the general educational development test instead of repeating his senior courses. Your Honor, I have read many books, blogs, and witnessed firsthand Matthew's struggles with ADHD. He is a high-performing goal/task-oriented person; not a 'busy-work'-type. During this period, and in my opinion, Matthew needed some time to mature and decided on a gap-year with my approval. He got his first job and started 'figuring things out.' As mentioned earlier, he was never a disciplinary problem, helped around the house, and worked. Matthew enrolled at a local university a year later and completed one semester. This is when Matthew first attempted to enlist in the Army; hell bent on becoming a combat medic. Meanwhile, Matthew got a full-time job and eventually bought his first truck. The enlistment process was taking longer than expected so when Matthew had the opportunity to volunteer with a local fire and rescue station he leaped. He also applied to the local and surrounding police, sheriff, and fire departments. Matthew's friend in Georgia made him aware of openings within the police department there and Matthew applied. Once extended an offer with the police department, mulling over the opportunity, and visiting the town, Matthew turned down the offer due to the racial diversity still in existence and the distance from family. Then he was told by the Army recruiter he was medically disqualified due to the number of concussions he had sustained playing sports. Matthew was disappointed, upset after waiting all that time and being told he could not enlist. However, he continued to work full-time while pulling shifts and train with the local fire and rescue until the coronavirus (COVID) pandemic limited access.

Once trainees were no longer permitted to participate in live calls, suddenly Matthew's nights were free, and he started meeting new friends via social media, going out at night, and communicating less. His chores were being neglected and he became shut-off. After a couple of months of this odd behavior, I orchestrated an intervention with his dad, and Matthew was ultimately told his behavior needed to change, his social media presence needed to change, he needed to pull his weight at home, or he was out. This process was not as easy as it sounds and was certainly a work in progress, but Matthew did start to show positive change. He was hanging out with his close friends from high school as the pandemic eased up. He participated in family outings and game nights were fun once more. About 14 or so months had passed when we discussed him trying to enlist again to see what a different recruiter would say. Matthew was more focused on his career path and contacted a great recruiter in the same office as previously visited. We also learned the previous recruiter did not complete his enrollment papers correctly and in doing so, the mistake was currently holding up his present enlistment process. In fact, the Army did not medically disqualify Matthew. The new recruiter was more experienced and kept Matthew updated throughout the entire process, even upon learning of his pending Federal charges.

Now, back to 20 May 2022, when the purpose of the raid was disclosed I did not know what a seer was but learning of its intended use and Matthew's purchase online connected several significant points during the difficult period when he was withdrawn and noncommunicative. Your Honor, that is not the Matthew before you today, nor the Matthew prior to this short period of his life during COVID. I have shared the macro story of Matthew's life but now let me share Matthew Your Honor. Should your automobile ever break down and leave you stranded on the side of the road, if Matthew drives by, guaranteed he will stop and help. Should you be an owl and fly into his mustang driving down the road, you will be taken to Blue Ridge Wildlife Refuge to mend your broken wing and released. Pictures posted to social media are always free. If you are a turtle trying to cross the road in the pouring down rain, Matthew will ensure traffic is stopped to safely move you to the other side of the road in the direction you are headed. If you are a mangy fox coming into a public area seeking food, Matthew will coax you into a dog crate for capture and take you to Blue Ridge Wildlife Refuge for evaluation and possible rehabilitation. Unfortunately, in this case, the fox succumbed to the disease after three weeks. Matthew comes from a family of multi-generations dedicated to community and military servitude, great-grandparents, grandparents, aunts, uncles, and parents.

where we lived for 19 years was also the location of many accidents. We had a mini-van t-boned at an intersection and flipped on its roof with a 2-year-old girl pinned in her seatbelt upside down. Matthew talked to her keeping her calm while first responders were enroute. We had a drunk driver with passengers rear-end a parked work van in front of our house. The van was pushed over the curb and over a fire hydrant. Matthew responded to the incident as the passengers were fleeing and the driver dazed. He called the first responders and then went to notify our neighbor of the incident. There were flammable explosives in the work van. Another drunk driver hit another parked car and tried to flee the scene. The crash woke us all up. The Tesla barely made it 100-yards before it stopped. Matthew was to testify on behalf of the prosecution, but the case did not go to trial.

Matthew has good relationships with his friends and family, even with his friend's parents and my friends. Matthew's friend's brother committed suicide a couple of years back. He attended the funeral and has kept in touch with the father more frequently since. The family was very appreciative of Matthew's presence and compassion. His maternal grandfather lives south of Richmond and Matthew

drives down to visit and take him to breakfast or takes breakfast to him. Matthew communicates with my friends via social media more than I do in person or through electrons.

Matthew is a productive member of society because of his willingness to give more than receive and often demonstrates selfless acts of kindness be it a stranger, or a friend stuck axle deep in mud, providing aid to an elderly person putting groceries in their car, returning the shopping cart to the corral, a helpless animal, or doing the right thing Matthew has that innate drive to do the 'right thing' even when no one is looking. After this experience, I believe Matthew will be a better member of society because he will seek assistance in understanding laws as they pertain to him, when applicable. Matthew wants to uphold the Constitution and serve in our great military. This felony conviction is 100 percent out of character for Matthew. He is stubborn but can you be stupid and stubborn? Although it was probably exciting to have the seer and potentially make his non-automatic AR15 fully auto, I know he had no intent to do harm to anyone, ever! Once he realized it was a crime to possess the seer, he put the AR15 away and did not touch it again. Furthermore, to the best of my knowledge, Matthew did not handle the legal AR15 in an unsafe manner nor improperly store or transport the rifle. I truly believe he will never violate this law in the future because Matthew has no need for a machine gun and understands the significant consequences of his past decisions.

Your Honor, I believe Matthew is a person who shows career promise even when this case is over. He is embarrassed, remorseful, and vulnerable with his future in jeopardy. Matthew still hugs me and apologizes for his poor decisions and the consequences that affected our family on 20 May 2022 and continues causing irreparable post-traumatic stress. I do not take Matthew's Federal offense lightly. There is no greater punishment than to see your mom's hands in the air and guns pointed in her direction because of something you did. He beats himself up daily not knowing what his future holds, unable to make life plans, or career decisions, a freedom taken for granted for the sake of a small piece of plastic. Matthew is not a criminal. He seldom consumes alcohol, does not smoke, or do illicit drugs, is no baby's daddy, and takes responsibility for his actions. He has no past criminal history and is otherwise an upstanding citizen as detailed herein. Matthew is of good character despite this conviction. Please Your Honor, I beg you to exercise leniency in Matthew's sentencing determination and waive any prison time. Please allow Matthew the opportunity to seek an enlistment conduct waiver and serve in the Army honorably.

Thank you for your time, service, and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Judy L. Rogers', with a stylized flourish at the end.

JUDY L. ROGERS
MATZ MOM